Form H.

(Distance Schedule referred to in Condition 13 of Form E.)

Form H.

EXPLOSIVES ACT, 1884.

Registry No.

Schedule.

Distances to be maintained between the Magazine and other buildings and works :—

From every	Not less than
Room used in connection with the magazine in pursuance of Rule 28 framed under Section 5 of the Act	
Workshop used in connection with the magazine in pursuance of rule 28-A, framed under Section 5 of the Act	
Mineral or private Railway, whether worked by steam or otherwise	
Highway or public foot-path	
Promenade or open place of resort for the public or for persons carrying on any trade or business	
Canal or navigable water	
Dock	
River wall or sea wall	
Pier or jetty	
Reservoir	
Room or workshop in connection with another magazine, store, or registered premises ...	
Any other room or workshop, or any shop ...	
Magazine for explosive	
Store for explosive	
Furnace, kiln or fire for the use of any boiler, engine or machine, or for any manufacturing purposes	
Public Railway	
Dwelling-house *with* the consent, in writing, of the occupier	
Dwelling-house *without* such consent	
Factory not belonging to Government ...	
Church or chapel	
University, college or school	
Hospital or public institution	
Town-hall or court of justice	
Covered Market	
Theatre or building wherein persons are accustomed to assemble	
Public building in charge of the Government or of Public Works Department on behalf of Government, or of the Municipality ...	

Provided that in the case of any building or work above-mentioned which is so screened from the Magazine by the natural features of the ground, or by good and sufficient artificial mounds of earth, as not to be visible from any part of such Magazine, the distance assigned above as that to be observed between such building or work and the Magazine may be reduced by one-half

Provided also that in the case of any building or work above-mentioned which is so screened from the Magazine by an intervening hill that a line drawn from any part of such building or work to any part of such Magazine would pass through such hill, the distance assigned by this schedule as that to be observed between such building and work and the Magazine may be reduced by three-fourths, subject nevertheless to a notification in writing from Government Inspector

that, in his judgment, the intervening hill, in respect of which such reduction is claimed, is not of a character to justify such reduction, whereupon this proviso authorising such reduction as aforesaid shall be deemed not to apply in respect of the said building or work.

The distances to be maintained between the Magazine and such buildings and works as are specified in this schedule shall be those set forth in the said schedule; and if at any time after the grant of this license, by reason of the approach of any such buildings or works, the Magazine ceases to be beyond the distances therein specified, this license shall cease to authorise the use of the Magazine for the keeping of explosives.

Notes.—(*a*) Buildings and Magazines inside a Factory will be required to preserve the distances from each other specified in the first (Workshop) line of the schedule. The same rule will apply to two or more Magazines, *not* in a factory belonging to the same occupier or by mutual consent of the respective occupiers.

(*b*) Detonators may be kept in an annexe near to or adjoining a Magazine under the following conditions:—

(1) The amount of explosive contained in the detonators must not exceed 100 lbs. reckoned in the proportion of not less than 2¼ lbs. of explosive per 1,000 detonators. (This proportion represents roughly about 44,000 detonators of "sextuple" strength; with detonators of greater strength the number would be of course less.)

(2) The detonator annexe must be so constructed that not less than two feet of masonry and three feet of air-space shall intervene between any detonators in such annexé and the interior of the Magazine.

(G. N. No. 5579, dated 26th July 1897.)

2. Where the provisions of the Bombay Municipal Acts of 1872 and 1878 are in conflict with those of the Indian Explosives Act, the latter must prevail.

3. The desirability of amending Section 69 of the Bombay District Municipal Act of 1873 with a view to prevent the possibility of difficulties arising in Municipalities other than Bombay by the operation of that section which would enable Municipal Commissioners to treat as a nuisance places within the Municipality which the District Magistrate may have sanctioned as a place for the storage of explosives, will be borne in mind when legislation to amend that Act is taken in hand. In the meanwhile any District Magistrate, who contemplates issuing a license for the manufacture or storage of explosives within Municipalities, should be careful to ascertain and consider any objections the Municipality concerned may have to his doing so, before he issues such license. (G. R., G. D., No. 2669, dated 5th September 1887.)

4. The Indian Explosives Act does not require that two separate licenses should be taken out for the manufacture, possession and sale of the *same* explosive—one under that Act and the other under the Indian Arms Act, 1878. The intention of Sec-

tion 15 of the Explosives Act is that a license under that Act may have, as regards the explosives manufactured, the effect of a license under the Arms Act, if an endorsement be made on it to that effect by a competent officer empowered on that behalf by the rules under which the license is granted. (G. I., H. D., No. 1299 dated 10th June 1887; *vide* G. R. No. 4116, dated 5th July 1887.)

*Superseded by Govt. Notn. No. 5579, dated 26th July 1897.

5. The rules laid down in Government Notification No.* 4116, dated 5th July 1897, for regulating the manufacture, possession and sale of explosives in the Bombay Presidency, contemplate the inclusion in division 2 of the 7th class of explosives of such articles as fire-works intended for the use of steamers. (G. R. No. 3254, dated 21st May 1888.)

6. The following orders, *inter alia*, were passed by Government on the recommendations of the Committee appointed by Government Resolution No. 1966, dated 22nd March 1892, to enquire into the circumstances connected with the explosion, on 28th December 1891, of a dynamite magazine at Antop Hill:—

(1) That no new magazines should be constructed near those now existing at Antop Hill, that the exploded magazine should not be rebuilt on its former site, and that the existing and all future magazines at Antop Hill should be protected by traverses.

(2) That certificates by the Chemical Analyser should be insisted on for all consignments of explosives carried by rail in accordance with Rule 6, clauses IX, X and XI, of the rules contained in the Notification of the Government of India, No.† 1417, dated 24th June 1887.

†Superseded by G. of I. Notn. No. 1393, dated 8th July 1897 (Bo. G. N. No. 5283, dated 14th idem.)

(3) That efficient lightning conductors should be provided and that each conductor should be tested by a competent person at least once a year, the continuance of licenses to depend on the conductors being maintained in efficient order.

(G. R. No. 8703, dated 4th November 1892.)

7. In exercise of the powers conferred by Section 5, sub-section (2), clause (*b*), of the Indian Explosives Act (IV of 1884), and in modification of the rules made by the various Local Governments thereunder, the Governor General in Council is pleased to make the following rule as to the fee to be charged for licenses to possess explosives granted to contractors, cultivators and other persons:—

No fee shall be charged for licenses granted to contractors, cultivators or other persons to possess gunpowder, fuzes or other explosives in reasonable quantities when the same are proved to the satisfaction of the officer granting the license to be required *bonâ fide*, in the case of licenses granted to contractors, for blasting purposes, and, in the case of licenses granted to cultivators or other persons, for blasting purposes in connection with agricultural works or works of public utility.

2. Home Department Notification No. 1989, dated the 25th July 1888, is hereby cancelled.

(G. I., H. D., Notn. No. 518, dated 19th April 1893; *vide* G. N. No. 2950, dated 26th idem.)

III.—MISCELLANEOUS.

1. *Publication of draft rules.*—Under Section 18, sub-section (2), of the Indian Explosives Act, 1884, the Governor-General in Council is pleased to prescribe that drafts of proposed rules under the Act shall be published—

(*a*) When the authority making the rules is a Local Government, in one issue of the local Official Gazette in English and in such other language or languages as the Local Government may direct; and

(*b*) when the authority making the rules is the Governor-General in Council, in one issue of the *Gazette of India* in English, and in one issue of the local Official Gazette (if any) of every Local Government in British India in English and in such other language or languages as the Local Government may direct.

This notification supersedes Home Department Notification No. 1437, dated the 14th August 1885.

(G. I., H. D., Notn. No. 1964, dated 2nd September 1887; *vide* G. N. No. 6038, dated 7th idem.)

2. *Purchase of Explosives.*—The Government of India having considered the question of the source from which it is desirable to obtain explosives for use in India, has decided that it is, on the whole, preferable to purchase them, as necessity arises, in this country. (G. I., F. & C., No. 6809, dated 26th December 1887; *vide* G. R. No. 364, dated 19th January 1888.)

3. *Shipment of Gunpowder, &c., on passenger vessels.*—The shipment of gunpowder and ammunition on passenger vessels may be allowed when packed in the manner described in the Regulations for Her Majesty's Transport Service, 1886 (*vide* Articles 28, 29 and 31) and stowed in magazines constructed (at the cost of the owner) in accordance with the specification given in Appendix XXVI of the Regulations, subject to the approval of the Port Officer.* (G. I., F. & C., No. 2891, dated 11th July 1891; *vide* G. R. No. 5556, dated 13th August 1891.)

* This order was passed pending the embodiment in the contemplated rules under the Native Passenger Ships Act of rules for the conveyance of explosives on passenger vessels.